

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85522

Shinji NAKADE, et al.

Appln. No.: 10/519,113

Group Art Unit: 1614

Confirmation No.: 9389

Examiner: RICCI, GRAIG D

Filed: November 1, 2005

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF DISEASE DUE TO
VASCULAR CONSTRICTION OR VASODILATION

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted.

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98
U.S. Appln. No.: 10/519,113

Attorney Docket No.: Q85522

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits a copy of two (2) Japanese Office Actions (along with English Translations of each action) issued in Japanese Patent Application No.: 2004-517272 dated July 3, 2009 and October 8, 2009 for the listed references cited therein.

Additionally, Applicant submits a copy of listed reference WO99/007672 obtained through a search by the Applicant.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The U.S. PTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: January 5, 2010